

CHAPTER 10
THOROUGHBRED RACING

491—10.1(99D) Terms defined. As used in the rules, unless the context otherwise requires, the following definitions apply:

“*Age*” means the age of a horse reckoned from the first day of January of the year of foaling.

“*Allowance race*” means an overnight race for which eligibility and weight to be carried is determined according to specified conditions which include age, sex, earnings and number of wins.

“*Also eligible*” means:

1. A number of eligible horses, properly entered, which were not drawn for inclusion in a race, but which become eligible according to preference or lot if an entry is scratched prior to the scratch time deadline; or

2. The next preferred nonqualifier for the finals or consolation from a set of elimination trials which will become eligible in the event a finalist is scratched by the stewards for a rule violation or is otherwise eligible if written race conditions permit.

“*Appeal*” means a request for the commission or its designee to investigate, consider and review any decisions or rulings of stewards.

“*Arrears*” means all moneys owed by a licensee, including subscriptions, jockey fees, forfeitures, and any default incident to these rules.

“*Association*” means a nonprofit corporation defined in Iowa Code section 99D.8 and authorized by the commission to conduct pari-mutuel wagering on horse racing and simulcasting and holding an annual license authorizing the specific dates of the racing or simulcasting meet.

“*Association grounds*” means all real property utilized by the association in the conduct of its race meeting, including the racetrack, grandstand, concession stands, offices, barns, stable area, employee housing facilities and parking lots and any other areas under the jurisdiction of the commission.

“*Beneficial interest*” means profit, benefit or advantage resulting from a contract or the ownership of an estate as distinct from the legal ownership or control. When considered as designation of character of an estate, is such an interest as a devisee, legatee or donee takes solely for their own use or benefit and not as holder of title for use and benefit of another.

“*Bleeder*” means a horse which hemorrhages from within the respiratory tract during a race or within one and one-half hours post-race, or during exercise or within one and one-half hours of exercise.

“*Bleeder list*” means a tabulation of all bleeders to be maintained by the commission.

“*Breeder*” means the owner of the horse’s dam at the time of foaling.

“*Chemist*” means any official racing chemist designated by the commission.

“*Claiming race*” means one which includes a condition that any horse starting the race may be claimed and purchased by any licensed owner, or person(s) approved by the commission for an owner’s license, for an amount specified in the conditions for that race by the racing secretary.

“*Commission*” means the Iowa racing and gaming commission.

“*Conditions*” means qualifications which determine a horse’s eligibility to be entered in a race.

“*Contest*” means a competitive racing event on which pari-mutuel wagering is conducted.

“*Day*” means a 24-hour period beginning at 12:01 a.m. and ending at midnight, also referred to as a race day.

“*Dead heat*” means the finish of a race in which the noses of two or more horses reach the finish line at the same time.

“Declaration” means the act of withdrawing an entered horse from a race prior to the closing of entries.

“Detention barn” means the barn designated for the collection from horses of test samples under the supervision of the commission veterinarian; also the barn assigned by the commission to a horse on the bleeder list, for occupancy as a prerequisite for receiving bleeder medication.

“Entry” means:

1. A horse made eligible to run in a race; or
2. Two or more horses, entered in the same race, which have common ties of ownership, lease or training.

“Field or mutuel field” means a group of two or more horses upon which a single bet may be placed. A mutuel field is required when the number of horses starting in a race exceeds the capacity of the track totalizator. The highest numbered horse within the totalizator capacity and all the higher-numbered horses following are then grouped together in the mutuel field.

“Financial interest” means an interest that could result in directly or indirectly receiving a pecuniary gain or sustaining a pecuniary loss as a result of ownership or interest in a horse or business entity; or as a result of salary, gratuity or other compensation or remuneration from any person. The lessee and lessor of a horse have a financial interest.

“Foreign substances” means all substances except those which exist naturally in the untreated horse at normal physiological concentration.

“Forfeit” means money due by a licensee because of an error, fault, neglect of duty, breach of contract or penalty imposed by order of the stewards or the commission.

“Handicap” means a race in which the weights to be carried by the horses are assigned by the racing secretary or handicapper for the purpose of equalizing the chances of winning for all horses entered.

“Horse” means any equine (including and designated as a mare, filly, stallion, colt, ridgeling or gelding) registered for racing; specifically, an entire male five years of age or older.

“Hypodermic injection” means any injection into or under the skin or mucosa, including intradermal injection, subcutaneous injection, submucosal injection, intramuscular injection, intravenous injection, intra-arterial injection, intra-articular injection, intrabursal injection, intraocular (intraconjunctival) injection.

“Inquiry” means an investigation by the stewards of potential interference in a contest prior to declaring the result of said contest official.

“Jockey” means a professional rider licensed to ride in races.

“Licensee” means any person or entity holding a license from the commission to engage in racing or related regulated activity.

“Maiden race” means a contest restricted to nonwinners.

“Meet/meeting” means the specified period and dates each year during which an association is authorized by the commission to conduct pari-mutuel wagering on horse racing and simulcasting.

“Month” means a calendar month.

“Nomination” means the naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.

“Nominator” means the person or entity in whose name a horse is nominated for a race or series of races.

“Objection” means:

1. A written complaint made to the stewards concerning a horse entered in a race and filed not later than two hours prior to the scheduled post time of the first race on the day in which the questioned horse is entered; or

2. A verbal claim of foul in a race lodged by the horse’s jockey, trainer, owner or the owner’s authorized agent before the race is declared official.

“Official starter” means the official responsible for dispatching the horses for a race.

“Official time” means the elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.

“Outrider” means an official with duties specified by administrative rules.

“Overnight race” means a race for which entries close 96 hours, or less, before the time set for the first race of the day on which the race is to be run.

“Owner” means a person who holds any title, right or interest, whole or partial in a horse, including the lessee and lessor of a horse.

“Paddock” means an enclosure in which horses scheduled to compete in a contest are saddled prior to racing.

“Performance” means a schedule of 9 to 11 races per day unless otherwise authorized by the commission.

“Post position” means the preassigned position from which a horse will leave the starting gate.

“Post time” is the scheduled starting time for a contest.

“Prize” means the combined total of any cash, premium, trophy and object of value awarded to the owners of horses according to order of finish in a race.

“Purse” means the total cash amount for which a race is contested.

“Purse race” means a race for money or other prize to which the owners of horses entered do not contribute money toward its purse and for which entries close less than 96 hours prior to its running.

“Race” means a running contest between thoroughbred horses ridden by jockeys for a purse, prize, or other reward run at a licensed association in the presence of the stewards of the meeting. This includes purse races, overnight races and stakes races.

“Recognized meeting” means any meeting with regularly scheduled races for thoroughbred horses on the flat in a jurisdiction having reciprocal relations with this state and the commission for the mutual enforcement of rulings relating to thoroughbred racing.

“Rules” means the rules promulgated by the commission to regulate the conduct of horse racing and simulcasting.

“Scratch” means the act of withdrawing an entered horse from a contest after the closing of entries.

“Scratch time” means the deadline set by the association for withdrawal of entries from a scheduled performance.

“Simulcasting” means the live audio and visual transmission of a contest to another location for pari-mutuel wagering purposes.

“Simulcasting meet” means the specified period and dates during which an association is authorized by the commission to conduct pari-mutuel wagering on contests received by television signal.

“Stakes race” means a contest in which nomination, entry and starting fees contribute to the purse.

“Starter” means a horse which becomes an actual contestant in a race by virtue of the starting gate opening in front of it upon dispatch by the official starter.

“Steward” means a duly appointed racing official with powers and duties specified by rules.

“*Subscription*” means moneys paid for nomination, entry, eligibility or starting of a horse in a stakes race.

“*Test level*” means the concentration of a foreign substance found in the test sample.

“*Test sample*” means any bodily substance including but not limited to blood or urine taken from a horse under the supervision of the commission veterinarian and as prescribed by the commission for the purpose of analysis.

“*Totalizator*” means the system used for recording, calculating, and dissemination of information about ticket sales, wagers, odds and payoff prices to patrons at a pari-mutuel wagering facility.

“*Track license*” means an authorization by the commission to an association to conduct pari-mutuel wagering on horse racing and simulcasting, at a specified place.

“*Track licensee*”—see “*Association*.”

“*Veterinarian*” means a veterinarian licensed by the appropriate state regulatory authority and the commission.

“*Winner*” means the horse whose nose reaches the finish line first or is placed first through disqualification by the stewards.

“*Year*” means a calendar year.

491—10.2(99D) Racing officials.

10.2(1) *General description.* Every association conducting a race meeting shall appoint at least the following officials:

- a. One of the members of a three-member board of stewards;
- b. The racing secretary;
- c. The paddock judge;
- d. The horse identifier;
- e. The clerk of the course;
- f. The starter;
- g. The clocker/timer;
- h. Three placing judges;
- i. Jockey room custodian;
- j. Chartwriter;
- k. Assistant race secretary;
- l. Mutuel manager;
- m. Clerk of scales;
- n. Minimum of two outriders.

10.2(2) *Eligibility for officials.* Rescinded IAB 8/17/94, effective 9/21/94.

10.2(3) *Official's prohibited activities.* No racing official or the racing official's assistant(s) listed in 10.2(1) while serving during any meeting in that capacity may engage in any of the following:

- a. A business or employment which would be a conflict of interest or interfere or conflict with the proper discharge of duties including:
 1. A business which does business with an association;
 2. A business issued a concession operator's license.
- b. Participate in the sale or purchase, or ownership of any horse racing at the meeting;
- c. Be involved in any way in the purchase or sale of any contract on any jockey racing at the meeting;
- d. Sell or solicit horse insurance on any horse racing at the meeting; or any other business sales or solicitation not a part of the official's duties;

- e.* Wager on the outcome of any race under the jurisdiction of the commission;
- f.* Accept or receive money or anything of value for the official's assistance in connection with the official's duties;
- g.* Be licensed in any other capacity without permission of the commission, or in case of an emergency, the permission of the stewards;
- h.* Consume or be under the influence of alcohol or any prohibited substance while performing official duties.

10.2(4) *Report of violations.* Every racing official and assistant(s) is responsible to report immediately to the stewards of the meeting every observed violation of these rules and of the laws of this state which occur within the official's jurisdiction.

10.2(5) *Single official appointment.* No official appointed to any meeting, except placing judges, may hold more than one official position listed in 10.2(1) unless in the determination of the stewards or commission, the holding of more than one appointment would not subject the official to a conflict of interests and duties in the two appointments.

10.2(6) *Stewards.* (For practice and procedure before the stewards and the racing commission, see Chapter 4.)

a. General authority.

(1) **General.** The board of stewards for each racing meet shall be responsible to the commission for the conduct of the racing meet in accordance with the laws of this state and the rules adopted by the commission. The stewards shall have authority to resolve conflicts or disputes between all other racing officials, licensees, and those persons addressed by 491—paragraph 4.6(5) “*e*,” where the disputes are reasonably related to the conduct of a race, or races, and to punish violators of these rules in accordance with provisions of these rules.

(2) **Appointment of substitute.** Should any steward be absent at race time, the other two stewards shall agree on the appointment of a deputy for the absent steward or if they are unable to agree on a deputy, then the racing secretary shall appoint a deputy for that race. If any deputy steward is appointed, the commission shall be notified immediately by the stewards.

(3) **Attendance.** All three stewards shall be present in the stand during the running of each race, except during simulcasting when one commission steward or commission representative shall be on the premises.

(4) **Period of authority.** The period of authority shall commence 30 days prior to the beginning of each racing or simulcasting meet and shall terminate 30 days after the end of each racing or simulcasting meet or with the completion of their business pertaining to the meeting.

(5) **Initiate action.** Stewards may, from their own observations, take notice of alleged misconduct or rule violations and initiate investigations and compliance of possible rule violations.

(6) **General enforcement provisions.** Stewards shall enforce the laws of Iowa and the rules of racing during racing and simulcasting. They shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose fines or suspensions within the limits and procedures of the Iowa racing commission. The decision of the stewards as to the extent of a disqualification of any horse in any race shall be final for purposes of distribution of the pari-mutuel pool.

(7) **Racetrack policies.** It shall be the affirmative responsibility and continuing duty of each occupational licensee to follow and comply with the racetrack policies as published in literature distributed by the racetrack or posted in a conspicuous location.

b. Duties of stewards.

(1) The laws of Iowa and the rules of racing supersede the conditions of a race and the regulations of a racing meet and, in matters pertaining to racing, the orders of the stewards supersede the orders of the officers of the association.

(2) The stewards shall have the authority to interpret the rules and to decide all questions not specifically covered by them.

(3) All questions pertaining to which their authority extends shall be determined by a majority of the stewards.

(4) The stewards shall have the authority to regulate owners, trainers, grooms and other persons attendant to horses, officials, licensed personnel of the meeting, and those persons addressed by 491—paragraph 4.6(5)“e.”

(5) The stewards shall have control over and access to all areas of the racetrack grounds.

(6) The stewards shall have the authority to determine all questions arising with reference to entries and racing.

(7) Persons entering horses to run on licensed Iowa tracks agree in so doing to accept the decision of the stewards on any questions relating to a race or racing.

(8) The stewards shall have the authority to punish for violation of the rules any person subject to their control and in their discretion to impose fines or suspensions or both for infractions.

(9) The stewards shall have the authority to order the exclusion or ejection from all premises and enclosures of the association any person who is disqualified for corrupt practices on any race course in any country.

(10) The stewards shall have the authority to call for proof that a horse is neither itself disqualified in any respect, nor nominated by, nor the property, wholly or in part, of a disqualified person, and in default of proof being given to their satisfaction, they may declare the horse disqualified.

(11) The stewards shall have the authority at any time to order an examination, by person or persons they think fit, of any horse entered for a race or which has run in a race.

(12) The stewards shall take notice of any questionable conduct with or without complaint and shall investigate promptly and render a decision on every objection and on every complaint made to them.

(13) The stewards, in order to maintain necessary safety and health conditions and to protect the public confidence in horse racing as a sport, shall have the right to authorize a person or persons in their behalf to enter into or upon the buildings, barns, motor vehicles, trailers or other places within the grounds of a licensed racetrack, to examine same, and to inspect and examine the person, personal property, and effects of any person within such place, and to seize any illegal articles or any items as evidence found.

(14) Upon the finding of a violation of these rules, or an attempted violation, on the grounds of a licensed facility, the stewards may suspend the license of any person for one calendar year or racing season, whichever is greater, or they may impose a fine not to exceed \$1000 or both. In addition, the stewards may redistribute the purse. They may also suspend the license of any person currently under suspension or in bad standing in any other state or jurisdiction by the state racing commission or a board of stewards of any recognized meeting. They may also order the redistribution of purse payments where appropriate. All suspensions and fines must be reported to the commission. If the punishment so imposed is not, in the opinion of the stewards, sufficient, they shall so report to the commission. All fines and suspensions imposed by the stewards shall be promptly reported to the racing secretary and racing commission.

(15) The stewards shall maintain a log of all infractions of the rules and of all rulings of the stewards upon matters coming before them during the race meet.

(16) No persons other than the commissioners or authorized commission staff shall be allowed in the stewards' stand unless prior approval has been obtained from the state stewards.

c. Emergency authority.

(1) Substitute officials. When in an emergency any official is unable to discharge duties, the stewards may approve the appointment of a substitute and shall report it immediately to the commission.

(2) Substitute jockeys. The stewards have the authority in an emergency to place a substitute jockey on any horse in the event the trainer does not do so. Before using that authority, the stewards shall in good faith attempt to inform the trainer of the emergency and to afford the trainer the opportunity to appoint a substitute jockey. If the trainer cannot be contacted, or if the trainer is contacted but fails to appoint a substitute jockey and to inform the stewards by 30 minutes prior to post time, then the stewards may appoint under this rule.

(3) Substitute trainer. The stewards have the authority in an emergency to designate a substitute trainer for any horse.

(4) Excuse horse. In case of accident or injury to a horse or any other emergency deemed by the stewards before the start of any race, the stewards may excuse the horse from starting.

(5) Exercise authority. No licensee may exercise a horse on the track between races unless upon the approval of the stewards.

(6) At the discretion of the stewards, any horse(s) precluded from having a fair start may be declared a nonstarter, and any wagers involving said horse(s) may be ordered refunded.

d. Investigations and decisions.

(1) Investigations. The stewards may, upon direction of the commission, conduct inquiries and shall recommend to the commission the issuance of subpoenas to compel the attendance of witnesses and the production of reports, books, papers and documents for any inquiry. The commission stewards have the power to administer oaths and examine witnesses and submit a written report of every such inquiry made by them to the commission.

(2) Cancel trifecta. Rescinded IAB 8/9/00, effective 9/13/00.

(3) Form reversal. The stewards shall take notice of any marked reversal of form by any horse and shall conduct an inquiry of the horse's owner, trainer or other persons connected with the horse including any person found to have contributed to the deliberate restraint or impediment of a horse in order to cause it not to win or finish as near as possible to first.

(4) Fouls.

1. Extent of disqualification. Upon any claim of foul submitted to them, the stewards shall determine the extent of any disqualification and shall place any horse found to be disqualified behind others in the race with which it interfered or may place the offending horse last in the race.

2. Coupled entry. When a horse is disqualified under this rule and that horse was a part of a coupled entry and, in the opinion of the stewards, the act which led to the disqualification served to unduly benefit the other part of the coupled entry, the stewards may, at their discretion, disqualify the other part of the entry.

3. Jockey guilty of foul. The stewards may discipline any jockey whose horse has been disqualified as a result of a foul committed during the running of a race.

(5) Protests and complaints. The stewards shall investigate promptly and render a decision in every protest and complaint made to them. They shall keep a record of all protests and complaints and any rulings made by the stewards and file reports daily with the commission.

1. Involving fraud. Protests involving fraud may be made by any person at any time to the stewards.

2. Not involving fraud. Protests, except those involving fraud, may be filed only by the owner of a horse, authorized agent, the trainer, or the jockey of the horse in the race over which the protest is made. The protest must be made to the clerk of the scales or to the stewards before the race is declared official. If the placement of the starting gate is in error, no protest may be made, unless entered prior to the start of the race.

3. Protest to clerk of scales. A jockey who intends to enter a protest to the clerk of scales following the running of any race, and before the race is declared official, shall notify the clerk of scales of this intention immediately upon the arrival of the jockey at the scales or a person designated by the stewards to be notified.

4. Prize money of protested horse. During the time of determination of a protest, any money or prize won by a horse protested or otherwise affected by the outcome of the race shall be paid to and held by the horsemen's accountant until the protest is decided.

5. Protest in writing. A protest, other than one arising out of the actual running of a race, must be in writing, signed by the complainant, and filed with the stewards one hour before post time of the race out of which the protest arises.

6. Frivolous protests. No person or licensee shall make a frivolous protest nor may any person withdraw a protest without the permission of the stewards.

10.2(7) Racing secretary.

a. *General authority.* The racing secretary is responsible for setting the conditions for each race of the meeting, regulating the nomination of entries, determining the amounts of purses and to whom they are due, and recording of racing results. The racing secretary shall permit no person other than licensed racing officials to enter the racing secretary's office or work areas until such time as all entries are closed, drawn, smoked, etc. Exceptions to this rule must be approved by the stewards.

(1) Minimum purse. Thirty days prior to the opening of a race meeting, the association shall present to the commission for approval the proposed purse structure for the race meeting including the minimum purse to be offered. Any contract with an organization representing the horsemen shall also be presented for commission approval at this time.

(2) Purse supplements for Iowa-bred horses. The commission shall also approve the proposed plan for purse supplements for the owners of Iowa-bred horses to be funded by the breakage as provided in Iowa Code section 99D.12.

b. *Conditions.* The secretary shall establish the conditions and eligibility for entering the races of the meeting and cause them to be published to owners, trainers and the commission. Unless otherwise provided by the conditions, the winner of a certain sum means the winner of a single race of that sum. Corrections to the conditions must be made within 24 hours of publication.

c. *Posting of entries.* Upon the closing of entries each day, the secretary shall post a list of entries in a conspicuous location in the office of the secretary and furnish that list to local newspaper, radio and television stations.

d. *Stakes and entrance money records.* The secretary shall be caretaker of the permanent records of all stakes, entrance moneys and arrears paid or due in a race meeting and shall keep permanent records of the results of each race of the meeting.

e. *Record of racing.* The secretary shall no later than the day following each race, attach or endorse on the registration certificate of each horse winning in any race the fact of that winning performance and the distance, the date of the race, and the type or conditions of the race.

f. Naming/engaging of riders. Riders must be named at the time of entry or no later than scratch time. Before naming any rider, the trainer, owner or other person authorized must first engage the services of the rider and state on the entry or to the clerk of scales whether it is a first or second call. Riders properly engaged must fulfill their requirements as provided in 10.4(2) "h."

g. Handicapping. The secretary, or a handicapper assigned by the secretary, shall assign the weight to be carried by each horse in a handicap when weights are not stated in the condition of the race:

(1) Scale of weights for age,

(2) Sex allowances. In all races except handicaps and races where the conditions expressly state to the contrary, two-year-old fillies are allowed three pounds; mares three years old and upward are allowed five pounds before September 1 and three pounds thereafter.

h. Penalties not cumulative. Penalties and weight allowances are not cumulative unless so declared in the conditions of a race by the secretary.

i. Winnings.

(1) All inclusive. For the purpose of the setting of conditions by the secretary, winnings shall be considered to include all moneys and prizes won up to the time of the start of a race, including those races outside the United States. Foreign winnings shall be determined on the basis of the normal rate of exchange prevailing on the day of the win.

(2) Winnings considered from January 1. Winnings during the year shall be reckoned by the secretary from the preceding January 1.

(3) Winner of a certain sum. Winner of a certain sum means the winner of a single race of that sum, unless otherwise expressed in the condition book by the secretary. In determining the net value to the winner of any race, the sums contributed by its owner or nominator shall be deducted from the amount won. In all stakes races, the winnings shall be computed on the value of the gross earnings.

(4) Winner's award. Unless the conditions of a race provide otherwise, the entrance money, starting and subscription fees and other contributions shall go to the winner of the race. If for any reason a race is not run, those entrance, starting and subscription fees shall be returned to the nominators.

j. Cancellation of a race. The secretary has the authority to withdraw, cancel or change any race which has not been closed. In the event the canceled race is a stakes race, all subscriptions and fees paid in connection with the race shall be refunded.

k. Coggins test. The racing secretary shall ensure that all horses have a current negative Coggins test. The racing secretary shall report all expired certificates to the board of stewards.

l. Registration. The racing secretary shall be responsible for the care and security of all registrations and supporting documents submitted by the trainer while the horses are located on licensee's property. Disclosure is made for the benefit of the public, and all documents pertaining to the ownership or lease of a horse filed with the racing secretary shall be available for public inspection.

10.2(8) Paddock judge.

a. General authority. The paddock judge shall:

(1) Supervise the assembly of horses in the paddock no later than 15 minutes before the scheduled post time for each race;

(2) Maintain a written record of all equipment, inspect all equipment of each horse saddled and report any change thereof to the stewards;

(3) Prohibit any change of equipment without the approval of the stewards;

(4) Ensure that the saddling of all horses is orderly, open to public view, free from public interference, and that horses are mounted at the same time, and leave the paddock for the post in proper sequence;

(5) Supervise paddock schooling of all horses approved for such by the stewards;

(6) Report to the stewards any observed cruelty to a horse;

(7) Ensure that only properly authorized persons are permitted in the paddock; and

(8) Report to the stewards any unusual or illegal activities.

b. Paddock judge's list.

(1) The paddock judge shall maintain a list of horses which shall not be entered in a race because of poor or inconsistent behavior in the paddock that endangers the health or safety of other participants in racing.

(2) At the end of each day, the paddock judge shall provide a copy of the list to the stewards.

(3) To be removed from the paddock judge's list, a horse must be schooled in the paddock and demonstrate to the satisfaction of the paddock judge and the stewards that the horse is capable of performing safely in the paddock.

10.2(9) Horse identifier.

a. General authority. The horse identifier shall:

(1) When required, ensure the safekeeping of registration certificates and racing permits for horses stabled or racing on association grounds;

(2) Inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting;

(3) Examine every starter in the paddock for sex, color, markings and lip tattoo, for comparison with its registration certificate to verify the horse's identity; and

(4) Supervise the tattooing or branding for identification of any horse located on association grounds.

b. Report violations. The horse identifier shall report to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

10.2(10) Clerk of scales. The clerk of scales shall:

a. Verify the presence of all jockeys in the jockey's room at the appointed time;

b. Verify that all such jockeys have a current jockey's license issued by the commission;

c. Verify the correct weight of each jockey at the time of weighing out and weighing in and report any discrepancies to the stewards immediately;

d. Oversee the security of the jockey's room including the conduct of the jockeys and their attendants;

e. Promptly report to the stewards any infraction of the rules with respect to weight, weighing, riding equipment or conduct;

f. Record all required data on the scale sheet and submit that data to the horsemen's bookkeeper at the end of each race day;

g. Maintain the record of applicable winning races on all apprentice certificates at the meeting;

h. Release apprentice jockey certificates, upon the jockey's departure or upon the conclusion of the race meet; and

i. Assume the duties of the jockey room custodian in the absence of such employee.

10.2(11) Starter.

a. General authority. The starter shall:

(1) Have complete jurisdiction over the starting gate, the starting of horses and the authority to give orders not in conflict with the rules as may be required to ensure all participants an equal opportunity to a fair start;

(2) Appoint and supervise assistant starters who have demonstrated they are adequately trained to safely handle horses in the starting gate. In emergency situations, the starter may appoint qualified individuals to act as substitute assistant starters;

(3) Assign the starting gates stall positions to assistant starters and notify the assistant starters of their respective stall positions more than ten minutes before post time for the race;

(4) Assess the ability of each person applying for a jockey's license in breaking from the starting gate and working a horse in the company of other horses, and shall make said assessment known to the stewards; and

(5) Load horses into the gate in any order deemed necessary to ensure a safe and fair start.

b. Assistant starters. With respect to an official race, the assistant starters shall not:

(1) Handle or take charge of any horse in the starting gate without the expressed permission of the starter;

(2) Impede the start of a race;

(3) Apply a whip or other device, with the exception of steward-approved twitches, to assist in loading a horse into the starting gate;

(4) Slap, boot or otherwise dispatch a horse from the starting gate;

(5) Strike or use abusive language to a jockey; or

(6) Accept or solicit any gratuity or payment other than their regular salary, directly or indirectly, for services in starting a race.

c. Starter's list. No horse shall be permitted to start in a race unless approval is given by the starter. The starter shall maintain a starter's list of all horses which are ineligible to be entered in any race because of poor or inconsistent behavior or performance in the starting gate. Such horse shall be refused entry until it has demonstrated to the starter that it has been satisfactorily schooled in the gate and can be removed from the starter's list. Schooling shall be under the direct supervision of the starter.

d. Report violations. The starter and assistant starter shall report all unauthorized activities to the stewards.

10.2(12) Timer/clocker.

a. General authority—timer.

(1) The timer shall accurately record the time elapsed between the start and finish of each race.

(2) The time shall be recorded from the instant that the first horse leaves the point from which the distance is measured until the first horse reaches the finish line.

(3) At the end of a race, the timer shall post the official running time on the infield totalizator board on instruction by the stewards.

(4) At a racetrack equipped with an appropriate infield totalizator board, the timer shall post the quarter times (splits) for thoroughbred races in fractions as a race is being run. For quarter horse races, the timer shall post the official times in hundredths of a second.

(5) For backup purposes, the timer shall also use a stopwatch to time all races. In time trials, the timer shall ensure that at least two stopwatches are used by the stewards or their designees.

(6) The timer shall maintain a written record of fractional and finish times of each race and have same available for inspection by the stewards or the commission on request.

b. General authority—clocker.

(1) The clocker shall be present during training hours at each track on association grounds, which is open for training, to identify each horse working out and to accurately record the distances and times of each horse's workout.

(2) Each day, the clocker shall prepare a list of workouts that describes the name of each horse which worked along with the distance and time of each horse's workout.

(3) At the conclusion of training hours, the clocker shall deliver a copy of the list of workouts to the stewards and the racing secretary.

10.2(13) Patrol judges.

a. General authority. An association may employ patrol judges who shall observe the running of the race and report information concerning the running of the race to the stewards.

b. Duty stations. Each patrol judge shall have a duty station assigned by the stewards.

10.2(14) *Placing judges.*

a. General authority. The placing judges shall determine the order of finish in a race as the horses pass the finish line, and with the approval of the stewards, may display the results on the totalizator board.

b. Photo finish.

(1) In the event the placing judges or the stewards request a photo of the finish, the photo finish sign shall be posted on the totalizator board.

(2) Following their review of the photo finish film strip, the placing judges shall, with the approval of the stewards, determine the exact order of finish for all horses participating in the race, and shall immediately post the numbers of the first four finishers on the totalizator board.

(3) In the event a photo was requested, the placing judges shall cause a photographic print of said finish to be produced. The finish photograph shall, when needed, be used by the placing judges as an aid in determining the correct order of finish.

(4) Upon determination of the correct order of finish of a race in which the placing judges have utilized a photographic print to determine the first four finishers, the placing judges shall cause prints of said photograph to be displayed publicly in the grandstand and clubhouse areas of the racetrack.

c. Dead heats.

(1) In the event the placing judges determine that two or more horses finish the race simultaneously and cannot be separated as to their order of finish, a dead heat shall, with the approval of the stewards, be declared.

(2) In the event one or more of the first four finishers of a race are involved in a dead heat, the placing judges shall post the dead heat sign on the totalizator board and cause the numbers of the horse or horses involved to blink on the totalizator board.

10.2(15) *Commission veterinarians.*

a. The commission shall employ graduate veterinarians licensed to practice in the state of Iowa at each race meeting as provided in Iowa Code section 99D.23. The veterinarians shall advise the commission and the stewards on all veterinary matters.

b. The commission veterinarians shall have supervision and control of the detention barn for the collection of test samples for the testing of horses for prohibited medication as provided in Iowa Code sections 99D.23 and 99D.25. The commission may employ persons to assist the commission veterinarians in maintaining the detention barn area and collecting test samples.

c. The commission veterinarians shall not buy or sell any horse under their supervision; shall not wager on a race under their supervision; and shall not be licensed to participate in racing in any other capacity.

d. Prerace examination. The stewards or commission veterinarians may request any horse entered in a race to undergo an examination on the day of the race to determine the general fitness of the horse for racing. During the examination all bandages shall be removed by the groom upon request and the horse may be exercised outside the stall to permit the examiner to determine the condition of the horse's legs and feet. The examining veterinarian shall report any unsoundness in a horse to the stewards.

e. Inspection prior to and following a race. A commission veterinarian shall inspect all of the horses in a race at the starting gate and after the finish of a race shall observe the horses upon their leaving the track.

f. The commission veterinarian shall place any horse determined to be sick or too unsafe, unsound or unfit to race on a veterinarian's list which shall be posted in a conspicuous place available to all owners, trainers, and officials.

g. A horse placed on the veterinarian's list may be allowed to enter only after it has been removed from the list by the commission veterinarian. Requests for the removal of any horse from the veterinarian's list will be accepted only after three calendar days from the placing of the horse on the veterinarian's list have elapsed. Removal from the list will be at the discretion of the commission veterinarian who may require satisfactory workouts or examinations to adequately demonstrate that the problem that caused the horse to be placed on the list has been rectified.

h. The commission veterinarians shall perform the duties and responsibilities regarding:

- (1) The administration of Lasix and phenylbutazone;
- (2) Postmortem examination on all horses which have expired or been euthanized on racetrack grounds; and
- (3) Receipt of veterinary reports as required by Iowa Code section 99D.25.

10.2(16) *Jockey room custodian.* The jockey room custodian shall:

- a.* Supervise the conduct of the jockeys and their attendants while they are in the jockey room;
- b.* Keep the jockey room clean and safe for all jockeys;
- c.* Ensure all jockeys are in the correct colors before leaving the jockey room to prepare for mounting their horses;
- d.* Keep a daily film list as dictated by the stewards and have it displayed in plain view for all jockeys;
- e.* Keep a daily program displayed in plain view for the jockeys so they may have ready access to mounts that may become available;
- f.* Keep unauthorized persons out of the jockey room;
- g.* Report to the stewards any unusual occurrences in the jockey room;
- h.* Assist the clerk of scales as required;
- i.* Supervise the care and storage of racing colors; and
- j.* Assign to each jockey a locker capable of being locked for the use of the jockey in storing clothing, equipment and personal effects.

10.2(17) *Outrider.*

a. The licensee shall appoint a minimum of two outriders on the main track for each race of a performance and during workouts. The licensee shall appoint one outrider on the training track during all workouts. Outriders must be neat in appearance and must wear approved helmets with chin straps securely fastened and approved safety vests while on the main track or training track.

b. The outriders shall:

- (1) Accompany the field of horses from the paddock to the post.
- (2) Ensure the post parade is conducted in an orderly manner, with all jockeys and pony riders conducting themselves in a manner in conformity with the best interests of racing as determined by the board of stewards.
- (3) Assist jockeys with unruly horses.
- (4) Render assistance when requested by a jockey.
- (5) Be present during morning workouts to assist exercise riders as required by regulations.
- (6) Promptly report to the stewards any unusual conduct which occurs while performing the duties of an outrider.
- (7) Ensure individuals using the track(s) are appropriately licensed.

491—10.3(99D) Track licensees' responsibilities.

10.3(1) *Stalls.* The licensee shall ensure that racing animals are stabled in individual box stalls; that the stables and immediate surrounding area are maintained in approved sanitary condition at all times; that satisfactory drainage is provided; and that manure and other refuse are kept in separate boxes or containers at locations distant from living quarters and promptly and properly removed.

10.3(2) *Paddocks and equipment.* The licensee shall ensure that paddocks, starting gates and other equipment subject to contact by different animals be kept in a clean condition and free of dangerous surfaces.

10.3(3) *Receiving barn and stalls.* Each licensee shall provide a conveniently located receiving barn or stalls for the use of horses arriving during the meeting. The barn shall have adequate stable room and facilities, hot and cold water, and stall bedding. The licensee shall employ attendants to operate and maintain the receiving barn or stalls in a clean and healthy condition.

10.3(4) Fire protection. The licensee shall develop and implement a program for fire prevention on licensee premises in accordance with applicable state fire codes. The licensee shall instruct employees working on licensee premises in procedures for fire prevention and evacuation. The licensee shall, in accordance with state fire codes, prohibit the following:

- a. Smoking in horse stalls, in feed and tack rooms, and in the alleyways.
- b. Sleeping in feed rooms or stalls.
- c. Open fires and oil- or gasoline-burning lanterns or lamps in the stable area.
- d. Leaving electrical appliances in use unattended or in unsafe proximity to walls, beds or furnishings.
- e. Keeping flammable materials, including cleaning fluids or solvents, in the stable area.

10.3(5) Horsemen's bookkeeper.

a. General authority. The horsemen's bookkeeper shall maintain the records and accounts and perform the duties described herein and maintain such other records and accounts and perform such other duties as the licensee and commission may prescribe.

b. Records.

(1) The records shall include the name, mailing address, social security number or federal tax identification number, and the state or country of residence of each horse owner, trainer, or jockey participating at the race meeting who has funds due or on deposit in the horsemen's account.

(2) The records shall include a file of all required statements of partnerships, syndicates, corporations, assignments of interest, lease agreements, and registrations of authorized agents.

(3) All records of the horsemen's bookkeeper shall be kept separate and apart from the records of the licensee.

(4) All records of the horsemen's bookkeeper including records of accounts and moneys and funds kept on deposit are subject to inspection by the commission at any time.

c. Moneys and funds on account.

(1) All moneys and funds on account with the horsemen's bookkeeper shall be maintained:

1. Separate and apart from moneys and funds of the licensee;
2. In a trust account designated as "horsemen's trust account"; and
3. In an account insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(2) The horsemen's bookkeeper shall be bonded in accordance with commission stipulations.

(3) The amount of purse money earned is credited in the currency of the jurisdiction in which the race was run. There shall be an appeal for any exchange rate loss at the time of transfer of funds from another jurisdiction.

d. Payment of purses.

(1) The horsemen's bookkeeper shall receive, maintain, and disburse the purses of each race and all stakes, entrance money, jockey fees, purchase money in claiming races, all applicable taxes and other moneys that properly come into possession in accordance with the provisions of commission rules.

(2) The horsemen's bookkeeper may accept moneys due belonging to other organizations or recognized meetings, provided prompt return is made to the organization to which the money is due.

(3) The fact that purse money has been distributed prior to the issuance of a laboratory report shall not be deemed a finding that no chemical substance has been administered, in violation of these rules, to the horse earning such purse money.

(4) The horsemen's bookkeeper shall disburse the purse of each race and all stakes, entrance money, jockey fees and purchase money in claiming races, and all applicable taxes, upon request, within 48 hours of receipt of notification that all tests with respect to such races have cleared the drug testing laboratory (commission chemist) as reported by the stewards. Minimum jockey mount fees may be disbursed prior to notification that the tests have cleared the testing laboratory.

(5) Absent a prior request, the horsemen's bookkeeper shall disburse moneys to the persons entitled to receive same within 15 days after the last race day of the race meeting, including purses for official races, provided that all tests with respect to such races have cleared the drug testing laboratory as reported by the stewards, and further provided that no protest or appeal has been filed with the stewards or the commission.

(6) In the event a protest or appeal has been filed with the stewards or the commission, the horsemen's bookkeeper shall disburse the purse within 48 hours of receipt of dismissal or a final nonappealable order disposing of such protest or appeal.

e. No portion of purse money other than jockey fees shall be deducted by the licensee for itself or for another, unless so requested in writing by the person to whom purse moneys are payable or by the person's duly authorized representative. The horsemen's bookkeeper shall mail to each owner at the close of each race meeting a duplicate of each record of a deposit, withdrawal, or transfer of funds affecting the owner's racing account.

10.3(6) Starting gate.

a. During racing hours a licensee shall provide at least two operable padded starting gates that have been approved by the commission.

b. During designated training hours a licensee shall make at least one starting gate and qualified starting gate employee available for schooling.

c. If a race is started at a place other than in a chute, the licensee shall provide and maintain in good operating condition backup equipment for moving the starting gate. The backup equipment must be immediately available to replace the primary moving equipment in the event of failure.

10.3(7) Distance markers.

a. A licensee shall provide and maintain starting point markers and distance poles in a size and position clearly seen from the steward's stand.

b. The starting point markers and distance poles must be marked as follows:

1/4 poles	red and white horizontal stripes
1/8 poles	green and white horizontal stripes
1/16 poles	black and white horizontal stripes
220 yards	green and white
250 yards	blue
300 yards	yellow
330 yards	black and white
350 yards	red
400 yards	black
440 yards	red and white
550 yards	black and white horizontal stripes
660 yards	green and white horizontal stripes
770 yards	black and white horizontal stripes
870 yards	blue and white horizontal stripes

10.3(8) Detention enclosure. Each licensee shall maintain a detention enclosure for use by the commission in securing, from horses who have run in a race, samples of urine, saliva, blood or other bodily substances or tissues for chemical analysis. The enclosure shall include a wash rack, commission veterinarian office, a walking ring, at least four stalls, workroom for the sample collectors with hot and cold running water and glass observation windows for viewing of the horses from the office and workroom. An owner, trainer, or designated representative, licensed by the commission, shall be with a horse in the detention barn at all times.

10.3(9) Ambulance. A licensee shall maintain, on the grounds during every day when its track is open for racing or exercising, an ambulance for humans and an ambulance for horses, each equipped according to prevailing standards and staffed by medical doctors, paramedics, or other personnel trained to operate them. When an ambulance is used for transfer of a horse or patient to medical facilities, a replacement ambulance must be furnished by the track to comply with this rule.

10.3(10) Helmets and vests. The licensee shall not allow any person to exercise any horse on association grounds unless that person is wearing a protective helmet and safety vest of a type approved by the commission.

10.3(11) Racetrack.

a. The surface of a racetrack, including cushion, subsurface, and base, must be designed, constructed, and maintained to provide for the safety of the jockeys and racing animals.

b. Distances to be run shall be measured from the starting line at a distance three feet out from the inside rail.

c. A licensee shall provide an adequate drainage system for the racetrack.

d. A licensee shall provide adequate equipment and personnel to maintain the track surface in a safe training and racing condition. The licensee shall provide backup equipment for maintaining the track surface. A licensee that conducts races on a turf track shall:

(1) Maintain an adequate stockpile of growing medium; and

(2) Provide a system capable of adequately watering the entire turf course evenly.

e. Rails.

(1) Racetracks, including turf tracks, shall have inside and outside rails, including gap rails, designed, constructed, and maintained to provide for the safety of jockeys and horses. The design and construction of rails must be approved by the commission prior to the first race meeting at the track.

(2) The top of the rail must be at least 38 inches but not more than 44 inches above the top of the cushion. The inside rail shall have no less than a 24-inch overhang with a continuous smooth cover.

(3) All rails must be constructed of materials designed to withstand the impact of a horse running at a gallop.

10.3(12) Patrol films or videotapes. Each licensee shall provide:

a. A videotaping system approved by the commission. Cameras must be located to provide clear, panoramic head-on views of each race. Separate monitors, which simultaneously display the images received from each camera and are capable of simultaneously displaying a synchronized view of the recordings of each race for review, shall be provided in the stewards' stand. The location and construction of video towers must be approved by the commission.

b. One camera, designated by the commission, to videotape the prerace loading of all horses into the starting gate and shall continue to videotape them until the field is dispatched by the starter.

c. One camera, designated by the commission, to videotape the apparent winner of each race from the finish line until the horse has returned, the jockey has dismounted, and the equipment has been removed from the horse.

d. At the discretion of the stewards, video camera operators to videotape the activities of any horses or persons handling horses prior to, during, or following a race.

e. That races run on an oval track be recorded by at least three video cameras. Races run on a straight course must be recorded by at least two video cameras.

f. Upon request to the commission, without cost, a copy of a videotape of a race.

g. Videotapes recorded prior to, during, and following each race to be maintained by the licensee for not less than six months after the end of the race meeting, or such other period as may be requested by the stewards or the commission.

h. A viewing room in which, on approval by the stewards, an owner, trainer, jockey, or other interested individual may view a videotape recording of a race.

i. Following any race in which there is an inquiry or objection, the videotaped replays of the incident in question which were utilized by the stewards in making their decision. The licensee shall display to the public these videotaped replays on designated monitors.

10.3(13) Communications.

a. Each licensee shall provide and maintain in good working order a communication system between the:

- (1) Stewards' stand;
- (2) Racing office;
- (3) Tote room;
- (4) Jockeys' room;
- (5) Paddock;
- (6) Test barn;
- (7) Starting gate;
- (8) Weigh-in scale;
- (9) Video camera locations;
- (10) Clocker's stand;
- (11) Racing veterinarian;
- (12) Track announcer;
- (13) Location of the ambulances (equine and human); and
- (14) Other locations and persons designated by the commission.

b. A licensee shall provide and maintain a public address system capable of clearly transmitting announcements to the patrons and to the stable area.

491—10.4(99D) Trainer, jockey, and jockey agent responsibilities.

10.4(1) Trainer.

a. Responsibility.

(1) The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses, regardless of the acts of third parties. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a commission-approved laboratory, is prima facie evidence of a violation of this rule or Iowa Code chapter 99D. In the absence of substantial evidence to the contrary, the trainer shall be responsible.

(2) A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

(3) A trainer whose horse has been claimed remains responsible for the race in which the horse is claimed.

b. Other responsibilities. A trainer is responsible for:

(1) The condition and contents of stalls, tack rooms, feed rooms, sleeping rooms and other areas which have been assigned by the association;

(2) Maintaining the assigned stable area in a clean, neat and sanitary condition at all times;

(3) Ensuring that fire prevention rules are strictly observed in the assigned stable area;

(4) Providing a list to the commission of the trainer's employees on association grounds and any other area under the jurisdiction of the commission. The list shall include each employee's name, occupation, social security number and occupational license number. The commission shall be notified by the trainer, in writing, within 24 hours of any change. No trainer shall employ any person under the age of 16;

(5) The proper identity, custody, care, health, condition and safety of horses in their charge;

(6) Disclosure to the racing secretary of the true and entire ownership of each horse in the trainer's care, custody, or control. Any change in ownership shall be reported immediately to, and approved by, the commission representative and recorded by the racing secretary. The disclosure, together with all written agreements and affidavits setting out oral agreements pertaining to the ownership for or rights in and to a horse, shall be attached to the registration certificate for the horse and filed with the racing secretary;

(7) Training all horses owned wholly or in part by them which are participating at the race meeting;

(8) Registering with the racing secretary each horse in their charge within 24 hours of the horse's arrival on association grounds;

(9) Ensuring that, at the time of arrival at a licensed racetrack, each horse in their care is accompanied by a valid health certificate which shall be filed with the racing secretary;

(10) Having each horse in their care that is racing, or is stabled on association grounds, tested for Equine Infectious Anemia (EIA) in accordance with state law and for filing evidence of such negative test results with the racing secretary. The test must have been conducted within the previous 12 months and must be repeated upon expiration. Certificate must be attached to foal certificate;

(11) Using the services of those veterinarians licensed by the commission to attend horses that are on association grounds;

(12) Immediately reporting the alteration of the sex of a horse in their care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;

(13) Promptly reporting to the racing secretary and the commission veterinarian any horse on which a posterior digital neurectomy (heel nerving) has been performed and ensuring that such fact is designated on its certificate of registration. See Iowa Code subsections 99D.25(1) to 99D.25(3);

(14) Promptly reporting to the stewards and the commission veterinarian the serious illness of any horse in their charge;

(15) Promptly reporting the death of any horse in their care on association grounds to the stewards, owner and the commission veterinarian and compliance with the rules in Chapter 10 governing post-mortem examination;

(16) Maintaining a knowledge of the medication record and status of all horses in their care;

(17) Immediately reporting to the stewards and the commission veterinarian if they know, or have cause to believe, that a horse in their custody, care or control has received any prohibited drugs or medication;